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Attorneys for the Post-Effective Date Estate of
Tripath Technology, Inc.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re

TRIPATH TECHNOLOGY, INC.,

Debtor.

CASE NO. 07-50358 (MM)

Chapter 11

[No hearing required]

**NOTICE OF INTENT TO PAY FEES AND EXPENSES
OF RICHARD C. HERMERDING, DISBURSING AGENT**

PLEASE TAKE NOTICE that Richard C. Hermerding, the Disbursing Agent under the debtor's confirmed plan of reorganization (the "Confirmed Plan"), hereby submits his invoice for fees for the month ending August 31, 2009 in the amount of \$1,728.00, and expenses in the amount of \$446.51, for a **total of \$2,174.51**. A detailed invoice is attached as Exhibit 1. The Disbursing Agent has previously submitted the following invoices:

April 2008	\$2,598.16	Oct. 2008	\$1,367.82	Apr. 2009	\$560.00
May 2008	\$2,345.89	Nov. 2008	\$691.50	May 2009	\$1,835.80
June 2008	\$694.10	Dec. 2008	\$798.66	June 2009	\$2,679.75
July 2008	\$2,528.56	Jan. 2009	\$1,104.00	July 2009	\$754.40
Aug. 2008	\$1,139.80	Feb. 2009	\$892.65		
Sept. 2008	\$1,609.61	Mar. 2009	\$256.00		

No objections were received to these invoices, and payment has been made pursuant to Paragraph

1 6.9(e) of the Confirmed Plan.

2 PLEASE TAKE FURTHER NOTICE that pursuant to Paragraph 6.9(e) of the debtor's
3 Confirmed Plan, "If no objection with respect to such invoice is filed with the Bankruptcy Court
4 and served upon the Disbursing Agent and the United States Trustee within twenty (20) days
5 following the service of such invoice(s), then the invoice(s) may be paid without further notice.
6 If an objection is made, the claimant shall be entitled to apply to the Court for allowance of its
7 fees and expenses and, upon entry of an order of the Bankruptcy Court authorizing payment, the
8 Disbursing Agent shall make such payment."

9 PLEASE TAKE FURTHER NOTICE that if you object to payment of the attached
10 invoice, within 20 days of the date of this Notice, you must file¹ with the Clerk of the United
11 States Bankruptcy Court, Room 3035, 280 South First Street, San Jose, California 95113, an
12 objection to such payment, together with any declarations and memoranda of law you wish to
13 present in support of your position, and serve such documents on counsel for Disbursing Agent,
14 Bruce G. MacIntyre, Esq., Perkins Coie LLP, 1201 Third Avenue, Suite 4800, Seattle, WA
15 98101-3099. Copies of the documents must also be served on the United States Trustee,
16 Attn: John Wesolowski, 280 South First Street, Room 268, San Jose, California 95113, and on all
17 other parties requesting special notice in this case. If there is no timely objection and/or request
18 for hearing filed and served, the Disbursing Agent is authorized to issue payment of the attached
19 invoice without further notice.

20 DATED: September 8, 2009

21 By: /s/ Bruce G. MacIntyre
22 Bruce G. MacIntyre, WA Bar No. 18984
23 Brian A. Jennings, WA Bar No. 32509
24 BMacIntyre@perkinscoie.com
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Attorneys for the Post-Effective Date Estate of
Tripath Technology, Inc.

27 _____
28 ¹ Any party requesting a hearing on payment of this invoice should be aware of the Court's electronic filing procedures.

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EXHIBIT 1
(See attached)

OLIVO - CPA**Richard C. Hermerding*****MBA, MAIA, MSIS, CMA, CFM, CFE, CFS****Senior Principal**

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<http://www.Olivocpa.com><http://www.myhdvest.com/OlivoCPA>Email: OlivoCPA@msn.com

CA Insurance License 0C74452

September 2 , 2009

Invoice No: Tripath 17

In re the Bankruptcy of Tripath Technology, Inc.
6227 Drifter Drive
San Jose, CA 95123

INVOICE

For Services Through 8/31/2009 in connection with the Following:

Sub-total for Services	1,728.00
Sub-total for Hotel (Napa)	256.48
Sub-total for Meals	66.43
Sub-Total for Mileage	117.70
Sub-Total for Printing/Coping	<u>5.90</u>
Total Due This Invoice	2,174.51

SEE SUPPORTING WORKSHEET-ATTACHED**Invoice Payable to**

Richard C. Hermerding
1376 N. 4th St. Suite 202
San Jose, CA 95112

This invoice is for current charges only through August 31, 2009

*Securities offered through H.D. Vest Investment ServicesSM, Member SIPC. Advisory services offered through H.D. Vest Advisory ServicesSM,
Non-bank subsidiaries of Wells Fargo & Company
6333 N. State Highway 161, Fourth Floor, Irving, Texas 75038 • (972) 870-6000

Print Date=

Tripath Technology, Inc

September 5, 2009

Supporting Worksheet for Invoice Tripath No 17 - August 2009

Date	Hours	Per Hour		Description	Other and Mileage	Mileage Rate		Sub-Total	Total
		\$	160.00			\$	0.550		
08/11/09	1.30	\$	208.00	Emails to and from Litigation Attorneys. (.2) Review of Draft of Filing. (1.1)	No Mileage	-	-	\$	208.00
08/13/09	0.20	\$	32.00	Emails to and from Litigation Attorneys. (.2)	No Mileage	-	-	\$	32.00
08/14/09	0.20	\$	32.00	Emails to and from Litigation Attorneys. (.2)	No Mileage	-	-	\$	32.00
08/18/09	0.60	\$	96.00	Review of Defendant's Filing and Review of Plaintiff's Final filing.	No Mileage	-	-	\$	96.00
08/19/09	1.60	\$	256.00	Telecon with Litigation Attorney's on Status of preparation for Mediation. Questions, Review of Exhibits to be presented on Aug 24, 2009 at mediation.	No Mileage	-	-	\$	256.00
08/23/09		\$	-	Hotel for Mediation - Rutherford, CA One Night Sunday August 23, 2009	Rancho Caymus	-	-	\$	256.48
08/23/09				Dinner Napa, CA	Rutherford Grill Napa, CA			\$	40.55
08/24/09	6.90	\$	1,104.00	Mediation in Rutherford (Napa), CA	San Jose/Rutherford (Napa) Round Trip	214.0	\$	117.70	\$ 1,221.70
08/24/09				Dinner Napa, CA	Rutherford Grill Napa, CA		\$	25.88	\$ 25.88
08/24/09	2.50			NOT BILLED (OVER BUDGETED AMOUNT)- Rutherford, CA					
TOTAL						214.0	\$	440.61	\$ 2,168.61

\$ 1,728.00

13.30 Total Hours on this Invoice

139.20 Previous Hours Billed

152.50 Total Hours to Date

150.00 Total - Budgeted Authorized Hours

- Remaining Hours

2.50 Not Billed-Over Budget

Printing

Pages

Copies

43.0 \$ 0.10 \$ 4.30

16.0 \$ 0.10 \$ 1.60

\$ 5.90

Total of Above

\$ 2,174.51

09/05/09